

11. (once amended) The sheeting of any one of claims 2 through 6, wherein the sheeting is applied to safety clothing.

12. (once amended) The sheeting of any one of claims 2 through 6, wherein the sheeting is applied to accessories.

### Remarks

Claims 2 and 4-13 remain in this application. Claim 3 has been cancelled, without prejudice. Claims 2 and 4-12 have been amended. No new matter has been added. Replacement pages reflecting the changes to the claims are attached in accordance with 37 C.F.R. §1.121. To facilitate the understanding of this response, Applicants have set forth Applicants' arguments in specific headed paragraphs. Favorable reconsideration of this application as amended is requested.

### *Claim Objections*

Claims 3-17 are objected to because of the following informalities: Claims 3-17 depend from cancelled claim 1. Appropriate correction is requested.

The claims have been corrected as requested. Applicants request that all objections to the claims be withdrawn.

### *Claim Rejections Under 35 U.S.C. § 112*

Claims 2-13 are rejected under 35 U.S.C. § 112, first paragraph, because the specification, while being enabled for radiation sensitive material, does not reasonably provide enablement for a layer of material not radiation sensitive. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make or use the invention commensurate in scope with these claims. The specification provides details of radiation sensitive materials, but does not list the materials, which constitute an example of a layer of material, which is not radiation sensitive. Since claim 2 incorporates the limitations of canceled claim 1, this action under 112 includes claims 3-13 that depended from claim 1 and would have been amended by the Examiner if this application were in condition for allowance.

"To be enabling, the specification of a patent must teach those skilled in the art how to make and use the full scope of the claimed invention without 'undue

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experimentation.” *Genentech, Inc. v. Novo Nordisk A/S*, 108 F.3d 1361, 1365, 42 USPQ2d 1001, 1004 (Fed. Cir. 1997) (quoting *In re Wright*, 999 F.2d 1557, 1561, 27 USPQ2d 1510, 1513 (Fed. Cir. 1993)). Enablement is determined as of the filing date of the patent application. *Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1384, 231 USPQ 81, 94 (Fed. Cir. 1986).

Applicants respectfully suggest that “material” is described in sufficient detail to enable one skilled in the art to practice the present invention. Referring to the Specification, page 8, line 25 to page 10, line 13, a “material” is defined as “radiation sensitive” if upon exposure to a given level of visible or other radiation the appearance of the material exposed changes to provide a contrast with material that was not exposed to that radiation. (Specification, page 8, lines 27-30). In following text, Applicants set forth a number of examples of materials that would be radiation sensitive. Further yet, in section III, “Radiation Sources” several different radiation sources are described. On the basis of the Specification, Applicants submit that the claims are fully enabled under 35 U.S.C. § 112, first paragraph.

Claims 2 and 7 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 is rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. The omitted structural cooperative relationships are: While claim 2 recites a composite image and images that appear under reflected light to float above, below or in the plane of the sheeting, claim 2 does not provide sufficient structure and structural relationship to bring about the functional limitation.

Applicants respectfully submit that the Examiner’s rejections are somewhat vague and are difficult to provide for a response. The image is a result of the microlens layer and radiation sensitive material and depending on the combination, the image appears to float above, below or in the plane of the sheeting. Applicants are claiming an article, which is described and claimed, regardless of the process. Representative processes for obtaining

the images are set forth in the Specification, see "Imaging Process" at page 11, line 15 to page 20, line 14.

Claim 7 recites the limitation "the radiation sensitive material" in claim 1. There is insufficient antecedent basis for this limitation in the claim.

**Examiner's Comment**

The Examiner asserted that due to the indefiniteness of the claimed invention, as directed to the rejection under 35 U.S.C. 112, first paragraph, allowability of claims could not be adequately ascertained. Further, the Examiner requested the continuing data on page 1, line 7, should be updated to reflect the US Patent Number for U.S.S.N. 09/510,428.

Applicants respectfully request the Examiner note that USSN 09/510,428 is now issued US Patent No. 6,288,842.

Please charge any fees that may be associated with this paper to Deposit Account No. 13-3723.

Respectfully Submitted,

Date:

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9. (once amended) The sheeting of any one of claims [1] 2 through 6, wherein the sheeting is applied to banknotes and other documents of value.

10. (once amended) The sheeting of any one of claims [1] 2 through 6, wherein the sheeting is applied to fashion clothing.

11. (once amended) The sheeting of any one of claims [1] 2 through 6, wherein the sheeting is applied to safety clothing.

12. (once amended) The sheeting of any one of claims [1] 2 through 6, wherein the sheeting is applied to accessories.

**Version with markings to show amendments made:**

2. (twice amended) A sheeting, comprising:
- at least one layer of microlenses, the layer having first and second sides;
  - a layer of material disposed adjacent the first side of the layer of microlenses;
  - at least a partially complete image formed in the material associated with each of a plurality of the microlenses, wherein the image contrast with the material; and
  - a composite image, provided by the individual images appears under reflected or transmitted light to float above the sheeting, float below the sheeting or float in the plane of the sheeting.
4. (once amended) The sheeting of claim [1] 2, wherein the composite image appears to move relative to the sheeting as the viewing position changes relative to the sheeting.
5. (once amended) The sheeting of claim [1] 2, wherein the composite image disappears and reappears when the angle at which the sheeting is viewed changes.
6. (once amended) The sheeting of claim [1] 2, wherein the sheeting comprises more than one composite image.
7. (once amended) The sheeting of claim [1] 2, wherein the [radiation sensitive] material is selected from sodium aluminum fluoride, titanium oxide, bismuth oxychloride or lead carbonate.
8. (once amended) The sheeting of any one of claims [1] 2 through 6, wherein the sheeting is applied to vehicle license plates.

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